



**One Hundred Ninth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515**

October 17, 2005

The Honorable Michael Leavitt
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

The Honorable Michael Chertoff
Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Leavitt and Secretary Chertoff:

As the recent hurricanes have shown us, proper response depends on having both a workable plan in place and the capability to execute the plan. Contrary to popular belief, a plan does exist. It is called the National Response Plan (NRP) and according to then Secretary of Homeland Security Tom Ridge, this plan was a "bold step forward in bringing unity in our [DHS] response to disasters and terrorist threats and attacks." This plan was formally announced on January 6, 2005. As was seen during both Hurricane Katrina and Rita, however, this plan was not executed. Now, as we read about the mounting avian flu crisis, we would like to ensure that the Departments of Homeland Security and Health and Human Services are prepared to adequately respond to a naturally occurring health crisis.

While we never know with exact certainty where and with how much severity a naturally occurring health emergency like avian flu will strike, we do understand the threat, and we do expect that the Federal government to have developed a comprehensive response plan. The NRP includes a Biological Incident Annex which outlines on paper and at the strategic level the roles and missions of the Federal, state, and local governments. In addition, the Federal government has developed National Planning Scenarios, including one on a pandemic influenza crisis. These scenarios were developed to assist in Federal, state, and local preparedness activities.

If the avian flu crisis reaches the United States, a timely and coordinated response will be critical to ensuring the security of the American public. Unfortunately, we have been disheartened by recent reports indicating a lack of clarity about the roles and the responsibilities of the Departments of Homeland Security and the Health and Human Services should such a health crisis occur in the United States. Who is the lead Federal agency and why are there still questions about who is in charge?

We would appreciate an immediate clarification of the respective roles and responsibilities of the Departments of Homeland Security and Health and Human Services as well as a review of the chain of command that will be put into place in case of a health emergency. Additionally, please provide this Committee with a detailed description of the response plan you intend to employ in case of an avian flu outbreak, including all scenarios possible in case of an outbreak. The Biological Incident Annex to the NRP is only 8 pages. We are assuming that the plan you have prepared is more in-depth and provides more of an operational overview of the Federal government's response.

Hurricane Katrina showed us that coordination with state and local authorities is crucial, and that the results of a breakdown of federal-state-local coordination can be devastating. We want to know whether or not you have shared your avian flu plan with state and local leaders. Please let us know who you shared this with. Finally, please include steps that you will take to ensure rapid and correct execution of your response plan.

We look forward to your response by October 31, 2001. If you have any questions, please do not hesitate to contact Jessica Herrera-Flanigan, Democratic Staff Director, at 202-226-2616.

Sincerely,



Bennie G. Thompson
Ranking Member
Committee on Homeland Security



James R. Langevin
Ranking Member
Subcommittee on Prevention of
Nuclear & Biological Attack